

## **REMARKS/ARGUMENTS**

Pursuant to the requirement of 37 CFR 1.121(b), and as stated above, please substitute and replace all the claim sheets, as amended and as originally filed, with the above amended set of claims. The following claim rejections and objections were noted from the Office Action dated June 17, 2004, and pursuant to each paragraph, presented in the same order, arguments follow.

### **Claim Rejections – 35 USC § 103**

***2. Claims 1-5, 7-13 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over US 4344824 to Soleau, Jr.***

Upon close inspection, there are significant differences between the present invention and the Soleau, Jr., patent, and the claims have been amended to more clearly delineate those differences. Therefore, in response to this rejection, the claims have been amended to more clearly define the invention as a passively solar heated condensation system, having an air-tight water vapor container and a condenser through which a liquid circulates, rather than a solar still without any pumping action, as the one in Soleau, Jr.

In particular, those differences arise from certain features that are different. Where Soleau, Jr., tries to produce water without using any outside power, the present invention could use a pulsing pump to provide “fresh” cold liquid within the condenser. In direct contradistinction, Soleau, Jr., utilizes recirculating air driven by natural convection to evaporate pure water from saline water, while the present invention does the opposite, i.e. the liquid in the condenser is circulated, albeit in a pulsed fashion, while the water vapor laden air is relatively-speaking stagnant. In the present invention, the water vapor content of the air is replenished by the supply of contaminated water vaporizing underneath, all within the air-tight container.

In Soleau, Jr., the pure water evaporated into the air is removed by a condenser and the condenser also cools the air, thereby causing its density to increase. The present invention does not cool the air by the condenser, rather, condensed water is merely collected from the water vapor in the air adjacent to the condenser, above the supply of contaminated non-potable water.

Experiments have conclusively shown that the configuration of the present invention results in a temperature difference of between 50°F and 150°F, thereby producing a great deal more distilled water than the Soleau, Jr., solar still. Some of the other cited references have different physical configurations and power usages, but Applicants respectfully submit that they are not combinable with Soleau, Jr., to render the present invention obvious.

**3. Claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over US 4344824 to Soleau, Jr., in view of US 4217881 to Brent.**

In response to this rejection, claim 6 is deemed to be allowable as it now depends from an allowable claim.

**4. Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over US 4344824 to Soleau, Jr., in view of US 5,873,996 to Rozelle, et al.**

In response to this rejection, Applicants respectfully submit that claims 13 and 14 have now been amended to recite a patentably distinct invention over the combination of cited references. Since claim 13 is deemed to be allowable, dependent claim 14 should also be allowable.

For the reasons above, Applicants respectfully submit that claims 1 through 17 are now in condition for allowance, and request that the Examiner give such an allowance.

Applicants wish to thank the Examiner for her thorough examination, and hope, that by these Amendments, the subject matter of the present invention is now more clearly stated, such that a closer review of the present invention, in light of the amendments and arguments made here, will give solid support

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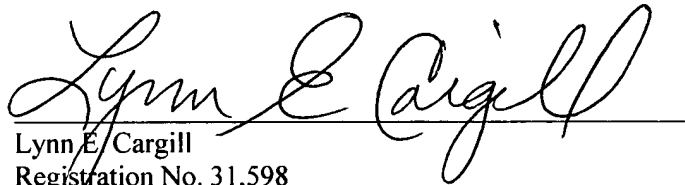
for an allowance. No new matter has been introduced, and support for all amendments can be found throughout the specification. Consequently, Applicants request reconsideration in the instant Application and withdrawal of all grounds of rejection and objection in view of the amendments and the following discussion.

If the Examiner feels that the prosecution of this Application can be expedited by conversation, she is courteously requested to place a telephone call to Applicants' attorney at the number listed below.

In view of the foregoing, it is believed that the remaining claims now distinguish over the prior art and are allowable. For the reasons discussed above, it is believed that this Application is now in an allowable condition such that it is appropriate to hereby respectfully solicit its allowance.

Respectfully submitted,

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CARGILL & ASSOCIATES, P.L.L.C.

A handwritten signature in black ink, reading "Lynn E. Cargill", written over a horizontal line.

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